

**To:** Albright, David[Albright.David@epa.gov]  
**From:** Dermer, Michele  
**Sent:** Tue 11/4/2014 8:13:00 PM  
**Subject:** RE: did we get anything from DOGGR since our Oct. 23 call?

Yes, I wish to discuss this with you before I proceed.

**From:** Albright, David  
**Sent:** Tuesday, November 04, 2014 11:58 AM  
**To:** Dermer, Michele  
**Subject:** Re: did we get anything from DOGGR since our Oct. 23 call?

No one is drafting it yet. Could you take an initial stab at it. You could use any portions of the status update I wrote a few weeks ago, which is likely still up to date. I'm on my way in and we can discuss if you would like. Thanks, David

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**From:** Dermer, Michele  
**Sent:** Tuesday, November 4, 2014 11:22 AM  
**To:** Albright, David  
**Subject:** RE: did we get anything from DOGGR since our Oct. 23 call?

My comments below on Jane's notes. Are you drafting this letter?

**From:** Albright, David  
**Sent:** Monday, November 03, 2014 6:33 AM  
**To:** Diamond, Jane; Montgomery, Michael  
**Cc:** Dermer, Michele; Moffatt, Brett; Engelman, Alexa; Quast, Sylvia  
**Subject:** RE: did we get anything from DOGGR since our Oct. 23 call?

Hi Jane,

We received some data from DOGGR last week that is supposed to be the list of wells injecting into hydrocarbon producing zones where quality is sub-10,000 ppm TDS and there is no current exemption. The list was a bit longer than we expected (~2,000 EOR wells), given that they had indicated a total number of around 1,600 previously (EOR and disposal). Rob once again noted the difficulty of pulling the data together from their existing systems. I asked for an update on the list of wells into non-hydrocarbon producing zones and Rob said he would get it to me soon. The only other submittal I've seen is their "test case" aquifer exemption package. We received that on Oct 24<sup>th</sup> and Michele and I will be in Sacramento today (with the Water/regional Board) to provide feedback. The package was quite a bit off the mark, but we are hoping to get them heading in a better direction with today's discussion. We engaged with ORC on our review and also got some good feedback from OGC and OW. I've not seen anything responsive to your items 2, 3, or 4.

We will start drafting the correspondence to which you referred and can modify it before sending if we get any other submittals this week.

David

**From:** Diamond, Jane  
**Sent:** Friday, October 31, 2014 5:49 PM  
**To:** Albright, David; Montgomery, Michael  
**Cc:** Dermer, Michele; Moffatt, Brett; Engelman, Alexa; Quast, Sylvia  
**Subject:** did we get anything from DOGGR since our Oct. 23 call?

I said we were going to send DOGGR something written by next week re the status of their response to our July letter, and we would take into account any additional info/submittals they make, or consider proposed submittal deadlines they might suggest. I haven't received anything, have you?

My notes suggest the following submittal possibilities:

- 1) Info on only wells in non-exempt zones. Still missing non HC zones, and what we do have has been submitted with caveat after caveat after caveat
- 2) Test case/example of AE pkg (for discussion at Nov. 3 meeting) It was neither an example nor a test case. It was the worst possible example in fact.

- 3) Revised "Proposed UIC Review Strategy" reflecting their further thinking based on our discussions of the original proposal Still Missing
- 4) Re the "searchable database", summary of where they are in the BCP process and when they will know more—May? Still Missing
- 5) Program review workplan to supplement Aug. 14 submittal. Still Missing

Please start drafting the written correspondence and we can talk further about whether Mike or I sign, and how to transmit (letter or email). Thanks, Jane

I think it should go from either Jane or Jared. The persons within DOGGR that have been assigned or tasked to work on the aquifer exemptions not only have a rudimentary knowledge of the regulatory framework and the technical requirements, but they are also limited in their ability to focus on this effort with the attention it requires. The Water Board did not even make an effort. Unless the State agencies are willing to devote the necessary resources, reasonable progress will not be made.

Jane Diamond

Water Director, EPA Region 9

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